

**FILED**

AUG 18 2009

SECRETARY, BOARD OF  
OIL, GAS & MINING

**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR  
AGENCY ACTION OF HARVEST (US)  
HOLDINGS, INC. FOR AN ORDER FORCE  
POOLING THE INTERESTS OF CERTAIN  
NON-CONSENTING OWNERS IN  
CERTAIN 40-ACRE OR EQUIVALENT  
DRILLING UNITS WITHIN SECTIONS 29  
AND 20, T4S R2W, USM, DUCHESNE  
COUNTY, UTAH.

**MOTION TO CONTINUE HEARING**

Docket No. 2009-005

Cause No.266-02

Harvest (US) Holdings, Inc. ("**Petitioner**"), through its attorneys, Snell & Wilmer L.L.P., and pursuant to Utah Code Annotated § 40-6-6, hereby moves the Board of Oil, Gas and Mining ("**Board**") to enter an order continuing its hearing in the above-captioned matter until the Board's regular hearing scheduled for September 23, 2009. Petitioner makes this request in order to allow 30 days additional time to negotiate with owners for their voluntary participation. Undersigned counsel has conferred with counsel for Newfield Production Company who concurs with this motion. A Proposed Order continuing the Hearing is attached.

Respectfully submitted this 18th day of August, 2009.

SNELL & WILMER L.L.P.



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Address of Petitioner:

Harvest (US) Holdings, Inc.  
Attention: Gil S. Porter  
1177 Enclave Parkway, Suite 300  
Houston, TX 77077

**CERTIFICATE OF SERVICE**


I hereby certify that a true and correct copy of the foregoing MOTION TO CONTINUE HEARING was sent via U.S. Mail, postage prepaid, this 18th day of August, 2009, to the following:

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Attorneys for the Utah Board of Oil, Gas & Mining

  
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COUNTY, UTAH.

**[PROPOSED]  
ORDER CONTINUING HEARING**

Docket No. 2009-005

Cause No.266-02

Having received the Motion of Harvest (US) Holdings, Inc. to continue the hearing in the above-captioned matter, and good cause appearing, the Board of Oil, Gas and Mining pursuant to Utah Administrative Code R641-106-700 hereby orders that the hearing in the above matter scheduled for August 26, 2009 is continued until the Board's Regular Hearing on September 23, 2009.

So Ordered.

UTAH BOARD OF OIL, GAS & MINING

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Douglas E. Johnson  
Chairman